

**REMARKS**

Claims 1-22 are pending in this application. Claims 5, 7-8, 12, 14-18, and 21-22 are objected to because of informalities a-k listed in the Office Action on page 2. All claims stand rejected.

**Claim Objections**

Claims 5, 7-8, 12, 14-18 and 21-22 have been amended rendering the objection moot. Applicant notes that the abbreviations previously in the claims are supported in the specification.

**Claim Rejections Under 35 USC § 102**

Claims 1-4 and 9-11 are improperly rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,409,538 (hereinafter Nakayama). Despite the Offices contention, Nakayama does not disclose a feed forward process control as required in Claim 1. Rather as clearly indicated in the passages cited by the Office, Nakayama discloses "a feedback control of the process conditions of forming and treating apparatus such as to make constant the film thickness determined..."

Nakayama simply does not disclose a feed forward process control and thus cannot anticipate Claim 1.

Likewise Nakayama cannot anticipate Claim 2-4 and 9-11 as they depend from

Claim 1, irrespective of the additional patentable features recited therein.

The rejection of Claims 1-4, 9-11 is improper and must be withdrawn.

### **35 USC § 103**

Claims 5-8 and 12-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakayama in view of U.S. Patent No. 6,798,529 (hereinafter Saka).

As noted above, Nakayama does not teach a feed forward process control. The addition of Saka does nothing to obviate the deficiencies of Nakayama and thus the rejection is improper. All the limitations must be taught in a reference or combination of references. The combination of Nakayama and Saka does not teach the feed forward process as recited in Claims 1 or 12.

The rejection of Claim 12 must be withdrawn.

Likewise the rejection of Claims 5-8 and 13-22 is also improper as they depend from Claims 1 and 12 respectively. These claims are patentable over the cited art irrespective of the additional features recited therein.

### **CONCLUSION**

Nakayama and Saka, alone or in combination do not show, teach or suggest a feed forward process control and this cannot render the present claims unpatentable. The rejections must be withdrawn.

In view of the foregoing amendments and remarks, Applicant submits that this application is in condition for allowance. Early notification to that effect is respectfully requested.

The Assistant Commissioner for Patents is hereby authorized to charge any additional fees or credit any excess payment that may be associated with this communication to deposit account **04-1679**.

Respectfully submitted,

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